

REMARKS

Claims 1 and 3-40 are currently pending in this application. Claims 1, 5, 6, 10-18, 20, 22, 24-26, 28, 29, 32-36, and 38 have been amended. No claims have been added or canceled. In the Non-Final Office Action mailed December 11, 2007, all of the pending claims were rejected. More specifically, the status of the application in light of this Office Action is as follows:

(A) Claims 1, 3, 4, 9-14, 17, 19-23, 25-36, and 38-40 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,594,690 to Cantwell ("Cantwell") in view of Published U.S. Patent App. No. US 2002/0085244 to Blasio et al. ("Blasio");

(B) Claims 5-8, 15, 16, 18, and 37 were rejected under 35 U.S.C. § 103(a) as unpatentable over Cantwell in view of Blasio and U.S. Pat. No. 6,785,805 to House et al. ("House"); and

(C) Claim 24 was rejected under 35 U.S.C. § 103(a) as unpatentable over Cantwell in view of Blasio and U.S. Pat. No. 5,587,533 to Schneider et al. ("Schneider").

The undersigned attorney and his colleague, Joe Brennan, wish to thank Examiner Vo and Examiner Poon for engaging in a telephone conference on February 25, 2008 to discuss the present Office Action, the Blasio reference, and the pending claims. The applicant requests that this paper constitute the applicant's Interview Summary. If the Examiners notice any deficiencies with this paper in this regard, they are encouraged to contact the undersigned attorney to correct such deficiencies.

The following remarks summarize and expand upon the results of the February 25th telephone conference, and they also reflect the agreement reached between the undersigned attorney and the Examiners during the telephone conference. For example, the following remarks reflect the Examiners' acknowledgement that the

applied references cannot support a Section 103 rejection of independent claim 1 and the claims depending therefrom.

A. Response to the Section 103(a) Rejection of Claims 1, 3, 4, 9-14, 17, 19-23, 25-36, and 38-40 (Cantwell and Blasio)

Claims 1, 3, 4, 9-14, 17, 19-23, 25-36, and 38-40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Cantwell in view of Blasio. As set forth below, and as agreed upon during the February 25th telephone conference, however, the applied references cannot support a Section 103 rejection of these claims for at least the reason that these references fail to teach or suggest all the claimed features.

1. Independent Claim 1 is Directed to a Server for a Network Configured to Enable a User at a Computer to Scan a Document at a Scanner to Obtain Scanning Data, the Server including, *Inter Alia*, a Database of Scanner Drivers, a Driver Selection System, a Destination Selection System to Enable a User to Select a Location from a Web Browser Hosted at the Computer, and a Delivery System

Independent claim 1 is directed to a server that enables a user at a station to scan a document at a computer. The server includes a database of scanner drivers. The server further includes a "driver selection system to enable the user to select a driver for the scanner from the database of scanner drivers in response to one or more inputs provided to a web browser hosted at said computer, wherein said web browser enables the user to browse web pages received over a data transmission network, and wherein said one or more inputs are received at said server over said data transmission network." The server further includes "a destination selection system to enable said user to select a location from said web browser for saving said scanning data, said location being selected from locations including locations other than said computer." The destination selection system enables a user at a computer to select a location for saving scanning data from the web browser hosted at the computer. That is, the user can utilize the web browser, which enables the user to browse web pages received over the data transmission network, to select a location for saving scanning data. Figure 4,

for example, depicts an exemplary driver and destination page that the server sends to the web browser for display to the user. The server further includes a delivery system to transfer the selected driver to the computer.

2. The Applied Art

a. Cantwell Describes a System and Method for Installing a Device Driver for a Device

Cantwell describes a system and method for installing a device driver for a device by downloading executable code. (Cantwell, 1:34-44.) The executable code downloads a selected driver and then installs the selected driver. (*Id.*)

b. Blasio Describes Systems and Methods for Simplified Scanning Using Multi-Function Devices

Blasio describes how higher-end scanners and multi-function devices enable users to use the scanner's control panel to easily control the scanner, including enabling users to easily select destinations to which scanned images are "pushed." (Blasio, ¶ [0006].) Blasio further describes how lower-end scanners and multi-function devices typically are deficient in this regard for a number of reasons. (See Blasio, ¶¶ [0005]-[0007].) Blasio's solution to this problem is systems and methods to "allow a user to select a destination [for scanning data] at a control panel of a scanner or multi-function device." (Blasio, ¶ [0009], emphasis added.)

3. Cantwell and Blasio Fail to Support a *Prima Facie* Case for Rejecting Claim 1 under Section 103 for at Least the Reason that These References Fail to Teach or Suggest all the Claimed Features

Cantwell and Blasio fail to support a *prima facie* case for rejecting claim 1 under Section 103 for at least the reason that these references fail to disclose or suggest several claimed features. For example, as the Office Action correctly notes, Cantwell does not explicitly teach "a destination selection system to enable said user to select a location from said browser for saving said scanning data, said location being selected

from locations including locations other than said station." (Office Action, p. 4.) The Office Action, however, asserts that Blasio cures this deficiency. (*Id.*) Applicant respectfully disagrees with this assertion. As outlined above, and as discussed during the February 25th telephone conference, Blasio's system enables users to select a destination for scanning data at a control panel of a scanner or multi-function device (hereinafter "scanner"). Blasio describes several embodiments of his invention. In each embodiment, a user utilizes the control panel of the scanner to select a destination. (See, e.g., Blasio ¶¶ [0018] and [0041].) Nowhere does Blasio teach or suggest "select[ing] a location from said web browser [hosted at said computer]," as recited in claim 1, "wherein said web browser enables the user to browse web pages received over a data transmission network," also as recited in claim 1. In direct contrast, Blasio describes that because a user can utilize the scanner's control panel to select a destination, it is no longer necessary for the user to access the computer. (Blasio, ¶ [0048].) Therefore, not only does Blasio fail to teach or suggest the above-quoted features of claim 1, this reference teaches directly away from the claimed combination of features. Accordingly, the Section 103 rejection of claim 1 should be withdrawn.

Furthermore, as stated above, the Examiners acknowledged during the February 25th telephone conference that the applied references cannot support a Section 103 rejection of independent claim 1 and the claims depending therefrom (claims 3, 4, 9-11, 21, 25, 26, 32, and 33). For example, the Examiners acknowledged that the applied references, either alone or in combination fail to teach or suggest "a driver selection system to enable the user to select a driver for the scanner from the database of scanner drivers in response to one or more inputs provided to a web browser hosted at said computer, wherein said web browser enables the user to browse web pages received over a data transmission network, and wherein said one or more inputs are received at said server over said data transmission network" in combination with "a destination selection system to enable said user to select a location from said web browser for saving said scanning data, said location being selected from locations including locations other than said computer," as recited in claim 1.

Claims 3, 4, 9-11, 21, 25, 26, 32, and 33 depend from base claim 1. Accordingly, the Section 103 rejection of dependent claims 3, 4, 9-11, 21, 25, 26, 32, and 33 should be withdrawn for at least the foregoing reasons, and for the additional features of these dependent claims.

Independent claims 12, 17, and 36 include several features generally similar to those of claim 1. For example, claim 12 recites "a scanning station, said scanning station comprising a computer connected to a data transmission network, said computer hosting a web browser that enables a user to browse web pages received over said data transmission network" in combination with "a destination selection system to determine a location for storing scanning data from inputs to said web browser, said location being selected from locations including locations other than said computer." Claim 17 recites "receiving information over a data transmission network from a web browser hosted on a computer, wherein said web browser enables a user to browse web pages received over said data transmission network" in combination with "enabling selection from said web browser of a location for storing scanning data in response to said received information, said location being selected from locations including locations other than said computer." Claim 36 recites "means for enabling the user to select a driver for the scanner from the means for storing in response to one or more inputs provided to a web browser hosted at the remote computer, wherein the web browser enables the user to browse web pages received over a data transmission network, and wherein the server receives the one or more inputs over the data transmission network" in combination with "means for enabling the user to select a location from the web browser for saving the scanning data, wherein the user selects the location from multiple locations including locations other than the remote computer." Accordingly, claims 12, 17, and 36 are patentable over Cantwell and Blasio for the reasons discussed above with respect to claim 1, and for the additional features of these independent claims. Therefore, the Section 103 rejection of claims 12, 17, and 36 should be withdrawn.

Claims 13, 14, 22, 23, and 27-29 depend from base claim 12, claims 19, 20, 30, 31, 34, and 35 depend from base claim 17, and claims 38-40 depend from base claim 36. Accordingly, the Section 103 rejection of claims 13, 14, 19, 20, 22, 23, 27-31, 34, 35, and 38-40 should be withdrawn for at least the foregoing reasons, and for the additional features of these dependent claims.

B. Response to the Section 103 Rejection of Claims 5-8, 15, 16, 18, and 37 (Cantwell and Blasio and House)

Claims 5-8, 15, 16, 18, and 37 were rejected under Section 103(a) as unpatentable over Cantwell in view of Blasio and House. Claims 5-8 depend from base claim 1, claims 15 and 16 depend from base claim 12, claim 18 depends from base claim 17, and claim 37 depends from base claim 36. As discussed above, Cantwell and Blasio fail to disclose or suggest all the features of base claims 1, 12, 17, and 36. House is relied on in the Office Action for describing "a login system adapted to enable said user to access said driver selection system following establishing an identity of the user." (Office Action, p. 10.) Even assuming for the sake of argument that this is correct (and the applicant expressly does not), House fails to cure the above-noted deficiencies of Cantwell and Blasio to support a Section 103 rejection of base claims 1, 12, 17, and 36. Accordingly, claims 5-8, 15, 16, 18, and 37 are allowable over the combination of Cantwell, Blasio, and House for at least the reason that these references, either alone or in combination, fail to disclose or suggest the features of claims 1, 12, 17, and 36, and the additional features of corresponding dependent claims 5-8, 15, 16, 18, and 37. Therefore, the Section 103 rejections of dependent claims 5-8, 15, 16, 18, and 37 should be withdrawn.

C. Response to the Section 103 Rejection of Claim 24 (Cantwell and Blasio and Schneider)

Claim 24 was rejected under Section 103(a) as unpatentable over Cantwell in view of Blasio and Schneider. Claim 24 depends from base claim 1. As discussed above, Cantwell and Blasio fail to disclose or suggest all the features of claim 1.

Schneider is relied on in the Office Action for describing "scanned data that is stored under a user defined file name and the user is queried if the scanned data is to be saved or not." (Office Action, p. 12.) Even assuming for the sake of argument that this is correct, Schneider fails to cure the above-noted deficiencies of Cantwell and Blasio to support a Section 103 rejection of base claim 1. Accordingly, dependent claim 24 is allowable over the combination of Cantwell, Blasio, and Schneider for at least the reason that these references, either alone or in combination, fail to disclose or suggest the features of corresponding base claim 1, and the additional features of this dependent claim. Therefore, the Section 103 rejection of dependent claim 24 should be withdrawn.

Conclusion

In view of the foregoing, the pending claims comply with the requirements of 35 U.S.C. § 112 and are patentable over the applied art. The applicant accordingly requests reconsideration of the application and a mailing of a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact Aaron Poledna at (206) 359-3982.

Dated: April 10, 2008

Respectfully submitted,

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